



**HELP FIGHT**  
ABUSE OF OFFICE  
FRAUD  
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# Operationalizing Whistleblow mechanism in CARE SOM

GUIDELINES FOR WHISTLEBLOW MECHANISM  
FEBRUARY 2018

CARE Somalia/Somaliland

## Guidelines for Operationalizing Whistleblow Mechanism in CSOM

### 1. Background

CARE is committed to maintaining the highest degree of ethical conduct among its entire staff and expects all staff to act in a manner consistent with the core values of Transformation, Integrity, Diversity, Excellence, and Equality. A number of policies are in place to detect and correcting fraud, misappropriations, discrimination, sexual harassment and exploitation, violations of policy, and any other wrongful conduct. Employees have obligation to report losses, illegal acts, and other violations of CARE Somalia/Somaliland ethical Conduct if they believe that these have occurred, if they observe such conduct, or if receive any information about such conduct.

Fraud Awareness, reporting and follow up of adherence to CARE ethics and conduct policies is a critical part of accountability and compliance. It is also of great importance to donors and other CARE stakeholders. CARE's whistle blow mechanisms address the identification, reporting, investigation, and close-out of violations of CARE ethics and conduct policies.

All CARE staff have a responsibility to report any known, reported or suspected cases of alleged violations of these policies by CARE staff, all outside contractors who are associated with CARE and all third parties doing business with CARE. It is recognized that most cases will have to proceed on a confidential basis.

It is noted that employees are often the first to realize that there may be something seriously wrong within the organization. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or the organization. They may also fear harassment or victimization. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

To increase awareness among staff and other stakeholder about whistle blow procedures, CARE Somalia will take a number of steps as listed in this document under different sections.

### 2. Objectives of the Guidelines

The purpose of this document is to explain standard procedures and guidance for CARE Somalia's Whistleblow mechanism with below specific objectives:

- To increase awareness among CARE Somalia's staff and local partner's about CARE's whistle blow procedures and guidelines;
- To encourage staff and local partners of CARE Somalia to feel confident in raising concerns, and to question any practice which is not lined with CARE's policy.
- Provide avenues for CARE employees and local partners to raise those concerns and receive feedback on any action taken
- To ensure CARE staff and local partners that they will receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied

The document makes it clear that CARE Staff and local partners can share feedback/complaints

without fear of victimization, subsequent discrimination or disadvantage. The whistle-blowing mechanisms are intended to encourage and enable employees to raise serious concerns within the organization rather than overlooking a problem or 'blowing the whistle' outside.

### 3. Why CARE Somalia/Somaliland gives importance to Whistleblow?

- CARE has always **treated its ethical and conduct policies seriously**
- CARE's reputation for **integrity and trust** is critically important
- **Legal requirements** and **donor expectations** have increased
- **All CARE staff are responsible** for upholding our values, and reporting violation of policies are encouraged

### 4. Scope of this document

The whistle blow procedures apply to all staff and offices of CARE Somalia, including those located at regional field offices and to the local partners. This document is developed to increase awareness among staff and local partners about whistle blow procedures.

CARE does not tolerate unethical conduct by staff, local partners or related third parties, including any of CARE's agents, consultants, vendors or partners. CARE staff are required to be watchful for unethical conduct and report it or any suspicious behavior. All reported cases would be reported to a centralized location, and appropriately investigated, disclosed to the donor, monitored, remediated, and closed out. **Similarly, any breach of code of conduct, violation of CARE's policy, harassment or any of the points mentioned in section 6 should be considered for whistleblowing.**

### 5. Whistle blow procedures' details and Non- Retaliation Approach

CARE staff are required to be watchful for breach of the ethical conduct as guided by the code of conduct and ethics, child protection policy, policy against sexual exploitation and abuse and the fraud policy. Country Director is required to report all instances of violation of these policies to a centralized location. Fraud, breach of CARE's policies or any other serious allegations will be appropriately investigated after considering severity, credibility, the potential for reputational damage, and applicable donor requirements. Investigations will be led/ authorized by the CD (unless implicated) or his/her designate.

#### **Confidentiality of Reports and Investigations; Non-retaliation**

Reports of violations or serious allegations can be submitted confidentially. Staff will not be retaliated against for good faith reports. Any report of alleged or actual violations submitted under this whistle blow must be treated confidentially to the fullest extent practicable. Only personnel designated in this document and with a need to know should be advised of a report and any related investigation.

### 6. Whistleblow Procedures (Channels to Report)

#### **How can you report to CARE Somalia/Somaliland?**

- Cases of fraud, violation of CARE's policies or breach of the code of conduct can be

reported through CARE's online web portal at below web link, immediately when noticed <http://som.ecsagateway.org/feedbackCSOM/>.

- The online web portal will allow sharing complaints or important feedback in both English and Somali languages. Currently, an English version is available which will be later have the option of Somali language.
- Other than this, you can also report through CARE's global line for fraud reporting and whistle blow at (<http://care.ethicspoint.com>).
- **Note:** CARE Somalia directly manages the first reporting mechanisms, and immediate response should be expected upon submission of serious incidents.

### **What can be reported under Whistleblow to CARE Somalia?**

Incidents/cases related to any of the following can be reported under whistle blow:

- **Conflict of Interest**
- **Feedback on employee discrimination and harassment**
- **Gaps in Donor Stewardship**
- **Falsification of Accounts**
- **Falsification of Records**
- **Misconduct or Inappropriate Behavior**
- **Theft**
- **Violation of code of conduct**
- **Sexual exploitation and abuse**
- **Child abuse and exploitation**
- **Other examples as listed in individual policy documents**

Investigations and close-out of reported incidents will strictly follow the specific policy requirements. E.g, reported suspected fraud will be actioned in keeping with the CI policy on fraud and corruption. Sexual harassment will be dealt with according to the PSEA and where relevant HR policy, etc.

### **Improving and Learning through Incidents reported:**

- All incidents reported must be dealt with in confidence. A database will be maintained at CO level to keep track of incidents reported and relevant responses.
- A periodic review of the database mentioned above will take place to extract meaningful, evidence-based findings to improve CO systems.
- Where appropriate, feedback will be provided to the complainant regarding the findings/ outcomes of the valid complaints.

## **7. Increasing Awareness about Whistleblow mechanism**

- CARE Somalia whistle blow document will be shared with all staff and local partners.
- CARE Somalia staff and local partners will be made aware of reporting channels such as online web portal address through banners, posters, etc.
- Awareness about whistle blow mechanism will be increased among CARE Somalia staff and local partners through dedicated awareness and orientation sessions.

**8. Definitions**

**Fraud:** Fraud is an act or course of deception, intentional concealment, omission, or perversion of truth, to (1) gain an unlawful or unfair advantage, (2) induce another to part with some valuable item or surrender a legal right, or (3) inflict injury in some manner. Corruption, bribery, kickbacks and gratuities, collusive *behavior* with vendors, keeping false records, false claims (e.g. requesting payment for goods, services or activities not *actually* performed), embezzlement, and theft are examples of fraud. Incompetence or negligence, or even reckless waste of assets, may not constitute fraud.

**Children and vulnerable adults:** A child is an individual under the age of 18, irrespective of local country definitions of when a child reaches adulthood.

**Sexual Exploitation:** Sexual exploitation means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

**Sexual Abuse:** Sexual abuse means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

**9. Summary**

The following Q&A table summarizes the key points of this document;

Question	Answer
<b>Whom is the guidance for in this document?</b>	All staff working in CARE Somalia/Somaliland and staff members from local implementing partners.
<b>What should one raise alerts for?</b>	The observation of serious concerns or non-compliance with CARE’s policies or suspicion of frauds.
<b>How to Report or share feedback with CARE Somalia/Somaliland?</b>	Share feedback/complaints at below web address; <a href="http://som.ecsagateway.org/feedbackCSOM/">http://som.ecsagateway.org/feedbackCSOM/</a>
<b>Is it possible to share feedback/complaints anonymously?</b>	Yes, this is possible. One can share feedback/ complaints anonymously. The identity of the person/s who shares feedback/complaints will be kept confidential unless agreed with the feedback provider/complainant(s).
<b>Will the person sharing feedback/complaints protected?</b>	CARE will handle all feedback and complaints confidentially.
<b>Where more information about CARE’s policies can be found ?</b>	Please download and read about CARE’s policies at following link <a href="http://som.ecsagateway.org/wp-content/uploads/2017/06/CARE-Somalia-Somaliland-Package-of-Policies-Updated.pdf">http://som.ecsagateway.org/wp-content/uploads/2017/06/CARE-Somalia- Somaliland- Package-of-Policies- Updated.pdf</a>

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